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RUEHNE/AMEMBASSY NEW DELHI 1328
RUEHNO/USMISSION USNATO 3927
RUCNDT/USMISSION USUN NEW YORK 1745
RUEHBS/USEU BRUSSELS 2706
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SUBJECT: HORN OF AFRICA/PIRACY: FRENCH OFFICIAL DISCUSSES
OCTOBER 6-8 BRUSSELS MEETING AND RELATED ISSUES

REF: HOPKINS-KANEDA E-MAIL (25 SEP 09)

Classified By: Andrew Young, Political Counselor, 1.4 (b/d).

11. (C) SUMMARY: The French will attend the October 6-8 Maritime Security Sector Reform (MSSR) meeting in Brussels but may also want a USG team to visit Paris to discuss Horn of Africa piracy on a broad inter-agency basis. France favors taking action to block ports used by pirates and against mother ships. France has reservations about supporting Somaliland's and Puntland's coast guard forces because of sovereignty issues and concerns that such forces might be helping pirates. France is comfortable with the SHADE mechanism to coordinate operations but is concerned that Russia and China may not be and may seek to establish a rival mechanism. France understands Kenya's difficulties in prosecuting and imprisoning pirates and hopes the international community can continue to support Kenya generously. French concerns about references to "self-protection" and "self-protection measures" precluded France from signing the "Best Practices" text in New York; the GOF will try to find acceptable language that will enable it to sign a revised version of the text. END SUMMARY.

12. (C) We met with Chantal Poirot, MFA Anti-Piracy Coordinator, on September 25 in order to discuss points raised in ref e-mail. Poirot said that France would attend the October 6-8 MSSR meeting in Brussels. However, she said that she was leaning towards asking that a USG team also visit Paris so that the GOF could assemble an inter-agency group to discuss a range of piracy issues with the USG team. She asked that we provide a paper on MSSR prepared by PM/PPA, which would help her decide how to approach the Brussels MSSR meeting and also any subsequent meeting with USG officials visiting Paris. (NOTE: PM/PPA provided this paper to Poirot directly via e-mail on September 29, with Poirot expressing her appreciation. END NOTE.)

13. (C) Poirot said that France favored action to blockade ports used by pirates and to take more direct action against mother ships. She said that anti-piracy patrol vessels, including those of the U.S. and France, were already starting to impede access to certain ports. During our meeting, she phoned an MOD contact who confirmed this to her, mentioning the patrols had been or were taking place within the framework of "Focus 07." The MOD contact informed her that four U.S. vessels were at that moment patrolling near the Somali coast. Poirot said she believed that such patrols

would continue.

14. (C) Poiret shared U.S. and UK concerns about helping the coast guard forces of Somaliland and Puntland. Without elaborating, she said that such support could raise sovereignty issues. She then mentioned that it was not certain that support given to the two coast guards would not end up in the hands of pirates, noting that there were indications that several branches of Somalia's security and military apparatus were believed to be aiding the pirates or indirectly supporting them.

15. (C) Poiret said that France was comfortable with SHADE as a mechanism to coordinate anti-piracy operations. It was an effective arrangement. However, she said she understood that Russia, China, and perhaps others not in the NATO/EU camp were unhappy with SHADE, especially if it gave the impression that participants were under U.S. or "Western" control. She said there were indications that Russia and China were thinking of establishing a parallel mechanism. Poiret thought that this would be unfortunate and that in no case should Russia and China be given the idea that their participation was not welcome. Without being more specific, Poiret said that SHADE could perhaps be restructured so as to make Russia and China more comfortable working with it and its current participants.

16. (C) Poiret expressed concern about Kenya and its recently stated problems in coping with the prosecution and incarceration of pirates and suspected pirates. Poiret said that Kenya was doing an admirable job and that Western

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countries should extend as much assistance as possible. Poiret said that France had been working with the Seychelles to accept pirates and prosecute them but she acknowledged that the process was not reaching closure because the Seychelles were demanding considerable support. She understood the reasons for the demands, but also commented that the Seychelles, being an island state dependent on maritime trade and shipping, was benefiting greatly from anti-piracy operations. Poiret said that efforts to broaden French laws to give increased French jurisdiction over piracy cases were continuing; under current law, France had jurisdiction when a piracy case involved a French interest, e.g., took place in French waters, involved a French ship, involved a French company, or involved French crew members. Legislators were working to craft a law that would allow French courts to assert jurisdictions even if one of those French interests was not directly involved.

17. (C) On the "Best Practices" text signed by others recently in New York, Poiret said that the GOF did not sign the text because of its several references to "self-protection" and "self-protection measures." She said that French experts interpreted these phrases to mean a possible obligation on the part of ship owners to maintain armed deterrent forces on their ships, something that French ship owners, she said, were not planning to do. Poiret said the GOF was looking for language that could replace "self-protection" and "self-protection measures" but would leave the text otherwise intact. She noted that such language might consist of a phrase such as "defensive measures in accordance with Article XYZ" of an already existing International Maritime Organization text, which she thought would not be subject to criticism and which could render the text easier to sign by others as well.

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